

MERRICK SCOTT RAYLE (SBN 139478)  
LOVELL STEWART HALEBIAN LLP  
500 Fifth Avenue, 58th Floor  
New York, NY 10110  
Tel: (212) 608-1900  
Fax: (212) 719-4677

JOHN M. KELSON (SBN 75462)  
LAW OFFICE OF JOHN M. KELSON  
180 Grand Avenue, Suite 1550  
Oakland, CA 94612  
Tel: (510) 465-1326  
Fax: (510) 465-0827

JERRY K. CIMMET (SBN 33731)  
Attorney at Law  
177 Bovet Road, Suite 600  
San Mateo, CA 94402  
Tel: (650) 866-4700  
Fax: (650) 866-4770

Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

IRENE SINOW, DANIEL KEW and )  
GARY PEREIRA on behalf of themselves, the )  
general public, and all others similarly situated, )

Plaintiffs, )

v. )

BANC OF AMERICA INVESTMENT )  
SERVICES, INC., et al., foreign corporations, )

Defendants. )

Case No. C 06-04466 SC

**STIPULATION AND ORDER TO  
CONTINUE CASE MANAGEMENT  
CONFERENCE AND RELATED DEADLINES**

Complaint filed: July 21, 2006  
CMC date: November 17, 2006

WHEREAS, a motion brought by plaintiffs' counsel in this action, on behalf of plaintiffs herein and on behalf of plaintiff in an action pending in the Eastern District of New York, is presently pending before the Judicial Panel of Multidistrict Litigation as Case No. MDL-1803 to coordinate or consolidate for pretrial proceedings several collective/class action cases brought against Banc of America Investment Services, Inc., and related entities, pending in multiple U.S. District Courts,

including the present case, and to transfer such cases to the United States District Court for the Southern District of New York, for such proceedings, pursuant to 28 U.S.C. § 1407; and

WHEREAS, oral argument on the said motion has been scheduled by the MDL Panel for November 30, 2006 in St. Louis, Missouri,

IT IS HEREBY STIPULATED by the undersigned attorneys for plaintiffs and the attorneys for defendant Banc of America Investment Services, Inc., which has not yet appeared in this action, subject to the approval of the court as provided below, that the case management conference in this case, which is presently set for November 17, 2006, be continued to January 26, 2007 at the hour of 10:00 a.m., in Courtroom 1 of this Court and that all related dates set forth in the Court's Order Setting Initial Case Management Conference and ADR Deadlines filed herein on July 21, 2006, be continued accordingly, including the requirement to file the parties' Case Management Statement at least 7 days before the Case Management Conference.

This stipulation does not constitute agreement by the undersigned attorneys for Banc of America Investment Services, Inc. that said party was effectively served with process, nor are said attorneys acting on behalf of any other named defendant.

Dated: October 26, 2006

LOVELL STEWART HALEBIAN LLP  
LAW OFFICE OF JOHN M. KELSON  
JERRY K. CIMMET

By /s/ JERRY K. CIMMET  
JERRY K. CIMMET (SBN 33731)  
Attorneys for Plaintiffs

Dated: October 26, 2006

PAUL, HASTINGS, JANOFSKY & WALKER LLP

By /s/ STEPHEN P. SONNENBERG  
STEPHEN P. SONNENBERG (SBN 164881)  
Attorneys for Banc of America Investment Services, Inc.

APPROVED AND SO ORDERED this 27 day of October, 2006.

United States

